

FILED

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MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

LARRY MONTZ; DAENA SMOLLER,

Plaintiffs - Appellants,

v.

**PILGRIM FILMS & TELEVISION,
INC.; NBC UNIVERSAL, INC.;
CRAIG PILIGIAN; JASON CONRAD
HAWES; UNIVERSAL TELEVISION
NETWORKS,**

Defendants - Appellees.

No. 08-56954

D.C. No. 2:06-cv-07174-FMC-
MAN

ORDER

KOZINSKI, Chief Judge:

Upon the vote of a majority of nonrecused active judges, it is ordered that this case be reheard en banc pursuant to Circuit Rule 35-3. The three-judge panel opinion shall not be cited as precedent by or to any court of the Ninth Circuit.